

**Amendment and Response**

Applicant: Michael R. Krause

Serial No.: 10/099,607

Filed: March 15, 2002

Docket No.: 10004123-1

Title: ACCESS CONTROL IN A NETWORK SYSTEM

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**REMARKS**

The following remarks are made in response to the Office Action mailed May 6, 2005. Claims 1-66 were rejected. With this Response, claims 1-6, 8, 10, 19, 37, 42, 49, 59, and 62 have been amended. Claims 1-66 remain pending in the application and are presented for reconsideration and allowance.

**Claim Objections**

The Examiner objected to claims 2-10 and 42 because of minor grammatical errors to the claims.

Applicant has amended claims 2-6, 8, 10, and 42 to clarify claims 2-10 and 42. Therefore, Applicant respectfully requests that the objections to claims 2-10 and 42 be removed.

The Examiner objected to claims 59 and 62 because of dependency informalities to the claims.

Applicant has amended claims 59 and 62 to reflect the correct dependency. Therefore, Applicant respectfully requests that the objections to claims 52 and 62 be removed.

**Claim Rejections under 35 U.S.C. § 103**

The Examiner has rejected claims 1-66 under 35 U.S.C. § 103(a) as being unpatentable over the Dupont U.S. Patent No. 6,724,781 and the Lakshman et al. U.S. Patent No. 5,951,651.

First, the Present Application claims priority to the U.S. Provisional Patent Application Serial Number 60/135,664, filed May 24, 1999. Therefore, the Dupont patent does not qualify as a reference under U.S.C. § 103/§ 102(e). The issue date (April 20, 2004) of the Dupont patent is after the filing date (March 15, 2002) of the Present Application, and after the earliest priority date of the Present Application (May 24, 1999). Moreover, as to the qualifying under § 102(e), the Dupont patent was filed on August 23, 1999 which is after the earliest priority date of the Present Application of May 24, 1999.

Secondly, the second reference used in this combination rejection, the Lakshman et al. patent, does not teach or suggest the limitations of amended independent claims 1, 19, 37, 42,

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and 49 of restricting routes of frames from at least one end station on a selected routing path based on a selected frame header field including at least one of a next header field and an opcode field.

The Lakshman et al patent specifically lists packet source address, destination address, port address, and protocol type for filtering based on packet parameters. The Lakshman et al. patent illustrates an example data packet 20 with a header containing fields or parameters of packet type, destination port number, interface source port number, destination address, and source address and also specifically states that another parameter in the header may include the type of protocol employed. The Lakshman et al. patent, however, does not teach or suggest restricting routes of frames or packets from at least one end station on a selected routing path based on at least one of a next header field and an opcode field.

In view of the above, amended independent claims 1, 19, 37, 42, and 49 are believed to be allowable. In addition, dependent claims 2-18 further define patentably distinct independent claim 1; dependent claims 20-36 further define patentably distinct independent claim 19; dependent claims 38-41 further define patentably distinct independent claim 37; dependent claims 43-48 further define patentably distinct independent claim 42; and dependent claims 50-66 further define patentably distinct independent claim 49. Therefore, these dependent claims are also believed to be allowable.

Therefore, Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejection to claims 1-66, and requests allowance of these claims.

### **CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 1-66 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-66 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(h)(i). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 08-2025.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

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Any inquiry regarding this Amendment and Response should be directed to either Patrick G. Billig at Telephone No. (612) 573-2003, Facsimile No. (612) 573-2005 or William J. Streeter at Telephone No. (970) 898-3886, Facsimile No. (970) 898-7247. In addition, all correspondence should continue to be directed to the following address:

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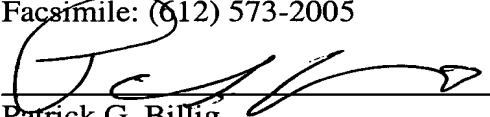
Respectfully submitted,

Michael R. Krause,

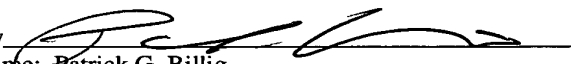
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**CERTIFICATE UNDER 37 C.F.R. 1.8:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 8 day of August, 2005.

By   
Name: Patrick G. Billig